

RESOLUTION NO. 75044

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A COOPERATIVE AGREEMENT WITH THE SANTA CLARA VALLEY WATER DISTRICT FOR THE REPAIR OF ERODED BANKS ALONG THOMPSON AND SIERRA CREEKS, IN AN AMOUNT NOT TO EXCEED \$370,000

WHEREAS, in April, 2008, the City of San José (“City”) and the Santa Clara Valley Water District (“District”) began coordination efforts for bank erosion repair at two locations along Thompson Creek, at Everdale Drive and Farnsworth Drive, within the City’s right-of-way; and

WHEREAS, in 2009, the City and District began coordination efforts for repair of the City’s outfall structure and eroded banks along Sierra Creek; and

WHEREAS, during coordination efforts it became clear that it would be more effective and expeditious for the District to make the repairs along Thompson Creek and Sierra Creek due to its expertise in stream stewardship, and ability to obtain the regulatory permits and equipment necessary for the repairs; and

WHEREAS, the City desires to negotiate and execute a cooperative agreement with the District to compensate the District for design and construction associated with these repairs in an amount not to exceed \$370,000;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute a cooperative agreement with the Santa Clara Valley Water District to compensate the District for design and construction associated with the repair of eroded banks at two locations along Thompson Creek, and at one location along Sierra Creek, in a total amount not to exceed \$370,000.

ADOPTED this 23rd day of June, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk